

REMARKS

The Official Action dated May 20, 2004 has been received and its contents carefully noted. In view of the present amendments, claims 4 and 7 have been cancelled and claims 5, 6 and 8 have been placed into independent form. Thus, claims 2, 3, 5, 6, 8 and 9 are presently pending in the instant application. Reconsideration of the rejections set forth in the Official Action is earnestly solicited.


Initially, Applicant wishes to acknowledge the Examiner's indication on page 6 of the Office Action that claims 5, 6 and 8 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With reference now to paragraph 3 of the Official Action, claims 3, 4, 7, and 9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,153,490 issued to Xing et al. in view of U.S. Patent No. 6,365,453 issued to Deboer et al. and the publication "Silicon Processing for the VLSI Era" by Wolf. With reference to paragraph 5 of the Official Action, claim 2 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Xing, Deboer, and Wolf as applied to claim 7 above, and further in view of U.S. Patent No. 6,165,837 issued to Kawakubo et al. In view of the foregoing amendments to place claims 5, 6 and 8 into independent form including all limitations of the base claim and intervening claims, Applicant respectfully submits that these rejections have been rendered moot.

Therefore, in view of the foregoing, it is respectfully requested that the objections and rejections of record be reconsidered and withdrawn by the Examiner; that claims 2, 3, 5, 6, 8 and 9 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



Donald R. Studebaker
Registration No. 32,815

DRS/BCO

NIXON PEABODY LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
Telephone: (202) 585-8000
Facsimile: (202) 585-8080